

ACCOMPANYING LABELING: (Smylax tablets and Smylax tonic) Leaflets entitled "Smylax Tonic Good For Many Ailments * * * Why Grow Old? Be Ageless—Defeat Time Forget The Calendar" and "A Hidden Secret Disclosed"; (Ardine tablets) leaflets entitled "Ardine For Feminine Hygiene and Health" and "Ardine For Ideal Feminine Hygiene and Health" and a booklet entitled "Ardine * * * A Boon To Happy Womanhood."

CHARGE: The complaint alleged that the defendant was engaged in the business of distributing and selling *Ardine tablets*, consisting of chloramine T, starch, and sodium bicarbonate; *Smylax tablets*, consisting of an extract of sarsaparilla root and powdered licorice; and *Smylax tonic*, consisting of sarsaparilla extract and flavoring in a simple sirup; and, further, that the defendant had been causing the introduction and delivery for introduction into interstate commerce of such articles which were misbranded as follows:

Smylax tablets and *Smylax tonic*. 502(a)—the labeling of the articles contained false and misleading representations that the articles were adequate and effective treatments for retarding old age; overcoming the lack of hormones in the body; enabling one to keep alive and healthy for a longer life; feeding the glands; overcoming emotional, physical, sexual, and mental difficulties; overcoming a condition of tired muscles, starving nerves, impaired blood circulation, and low resistance to infection; providing vitality; overcoming skin eruptions, general debility, muscle cramps, infections, poisons, head pains, sinus infection, a condition of poisoned blood stream, skin disease, chronic rheumatism, and scrofula; providing a gland food to enable the glands to produce testosterone, progesterone, and cortisone; overcoming angina pectoris, ringworm, psoriasis, and other skin ailments, arthritis, rheumatic fever, prostate gland weakness, menstrual difficulties, menopausal difficulties, nervous headaches, hot flashes, menstrual cramps, emotional upsets, depression, and allergic difficulties; preventing softening of the bones, diabetes, high blood pressure, and heart attacks; and providing good health.

Ardine tablets. 502(a)—the labeling of the article contained false and misleading representations that the article was an adequate and effective treatment for providing good health and happiness; enabling one to retain youth, beauty, and vigor; providing a complete germicidal power that will kill all germs and bacteria and remain effective for such purposes for several hours when placed in the vagina; preventing infection, including gonorrhea; and overcoming pyorrhea, ringworm, eczema, and leucorrhea.

DISPOSITION: On 6-28-57, after a hearing at which the defendant appeared, the court entered a preliminary injunction. On 8-8-57, the defendant having failed to answer or otherwise plead to the complaint, a default decree of permanent injunction was entered against the defendant enjoining him against commission of the acts complained of.

5496. Diaplex. (F.D.C. No. 40349. S. No. 72-982 M.)

QUANTITY: 20 12-oz. ctns. at Salt Lake City, Utah.

SHIPPED: 1-18-57, from Canyon City, Colo., by H. W. Pierce.

LABEL IN PART: (Ctn.) "DIAPLEX * * * contains as follows: Calcium Fluoride Calcium Sulfate Calcium Phosphate Iron Phosphate Potassium Chloride Silica Sodium Chloride Iodine Sulphur Pure Phosphate Pure Calcium Boron Protein All these organic minerals were found in this herb. Diaplex: Vitamin Content A, B, B₁, C, D, and traces of others including many valuable minerals naturally compounded * * * Mile Hi Food Co., Denver 11, Colorado."

ACCOMPANYING LABELING: Leaflet entitled "DIAPLEX Distributed by H. W. Pierce * * * NOTICE—Instructions to the Diabetics' Doctor and Patient."

LIBELED: 7-8-57, Dist. Utah.

CHARGE: 502(a)—the labeling of the article, when shipped, contained false and misleading representations that the article was an adequate and effective treatment for diabetes.

DISPOSITION: 8-30-57. Default—destruction.

5497. Menstruation Tea. (F.D.C. No. 40574. S. No. 72-403 M.)

QUANTITY: 29 ctns. at Detroit, Mich., in possession of Old Chief Medicine Co.

SHIPPED: On an unknown date, from Hammond, Ind.

LABEL IN PART: "Formula No. 226 Menstruation Tea Old Chief Beverage Herb (Mildly Stimulating) Ingredients: Calamus, Lily Root, Ginger Root, Prairie Plant (Yarrow), Black Cohosh, German Rue, Bearberry Leaves, Squaw Weed."

RESULTS OF INVESTIGATION: The article was repackaged and relabeled by the consignee after its shipment as described above.

LIBELED: 8-30-57, E. Dist. Mich.

CHARGE: 502(a)—the representation of the article as "Menstruation Tea," while held for sale, represented and suggested that the article was effective for overcoming menstrual difficulties, which representation was false and misleading since the article was not effective for such purpose.

DISPOSITION: 11-7-57. Default—destruction.

5498. Vi-Jon antiseptic. (F.D.C. No. 40854. S. No. 65-603 M.)

QUANTITY: 43 btls. at Piqua, Ohio, in possession of G. C. Murphy Co.

SHIPPED: 8-21-57, from McKeesport, Pa.

LABEL IN PART: "Vi-Jon * * * Antiseptic * * * Active Ingredients 25% Alcohol, Eucalyptol, Thymol, Menthol, Methyl Salicylate, Benzoic Acid, Boric Acid."

ACCOMPANYING LABELING: Display placard bearing the wording "Murphy's Prevent 'Asiatic Flu' Vi-Jon Mouth Wash 39¢."

RESULTS OF INVESTIGATION: The above-mentioned placard was prepared locally by the consignee for use in promoting the sale of the article.

LIBELED: 10-22-57, S. Dist. Ohio.

CHARGE: 502(a)—the labeling accompanying the article, while held for sale, contained false and misleading representations that the article was effective for the prevention of Asiatic influenza.

DISPOSITION: 12-13-57. Consent—the placard was destroyed, and the article was delivered to a county institution, for use by the inmates.

5499. Bath minerals. (F.D.C. No. 40844. S. No. 71-585 M.)

QUANTITY: 24 2-lb. jars at Minneapolis, Minn.

SHIPPED: 5-9-57, from Chicago, Ill., by Arkansas Mining Co.

LABEL IN PART: "CONTENTS Mineral contents and parts per million in bath water after directions are followed (1 tablespoonful to ten gallons): Silica 61.20 Iron 0.08 Manganese 0.38 Calcium 62.40 Magnesium 7.60 Sodium 22.80 Potassium 2.12 Carbonate (plus Bicarbonate) 154.00 Chloride 1.90 Sulphate 30.40."